

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ZUNUM AERO, INC.,

Plaintiff,

v.

THE BOEING COMPANY, et al.,

Defendants.

CASE NO. C21-0896JLR


ORDER

Before the court is Defendants The Boeing Company and Boeing HorizonX Ventures, LLC's (together, "Boeing") motion for clarification of the court's August 14, 2024 order. (Mot. (Dkt. # 750); *see* 8/14/24 Order (Dkt. # 744).) Plaintiff Zunum Aero, Inc. does not oppose Boeing's motion. (*See generally* Dkt.) The court GRANTS Boeing's motion for clarification (Dkt. # 750).

In its August 14, 2024 order, the court granted Boeing's motion for judgment as a matter of law pursuant to Federal Rule of Civil Procedure 50(b). (8/14/24 Order at 53.) Pursuant to Federal Rule of Civil Procedure 50(c), the court now conditionally GRANTS

1 Boeing's motion for a new trial (Dkt. # 695). As to each of the claims on which the jury  
2 found against Boeing (*see generally* Verdict (Dkt. ## 684 (sealed), 685 (redacted))), the  
3 court finds that the verdict is against the clear weight of the evidence, the awarded  
4 damages are excessive, and that a new trial is otherwise necessary to prevent a  
5 miscarriage of justice and undue prejudice to Boeing for the reasons discussed in the  
6 court's August 14, 2024 order and Boeing's motion for judgment as a matter of law or, in  
7 the alternative, for a new trial. *See Molski v. M.J. Cable, Inc.*, 481 F.3d 724, 729 (9th  
8 Cir. 2007).

9 Dated this 17th day of September, 2024.

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11 JAMES L. ROBART  
United States District Judge